

1 THE HONORABLE TANA LIN
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 MACKENZIE BROWN, individually and on
10 behalf of all others similarly situated;
11 MEILING ROBINSON, individually and on
behalf of all others similarly situated; and
12 SHEA RITCHIE; individually and on behalf of
all others similarly situated,

13 Plaintiffs,
14 v.
15

16 PACIFIC MARKET INTERNATIONAL,
LLC, a corporation, and DOES 1 through 100,
17 Defendants.

Case No. 2:24-cv-00635-TL

**STIPULATED MOTION TO VACATE
DEADLINE TO RESPOND TO
COMPLAINT AND ~~PROPOSED~~
ORDER**

NOTE ON MOTION CALENDAR:
May 14, 2024

STIPULATED MOTION

18 Plaintiffs Mackenzie Brown, Meiling Robinson, and Shea Ritchie (collectively, “Brown
19 Plaintiffs”) and Defendant Pacific Market International, LLC (“PMI”) submit this stipulated
20 motion to vacate PMI’s May 20, 2024 deadline to respond to the First Amended Complaint (Dkt.
21 No. 11), pending the filing of the forthcoming consolidated amended complaint in *Franzetti v.
22 Pacific Market International, LLC, et al.*, No. 2:24-cv-00191-TL, in which the *Brown* Plaintiffs
23 intend to join.

24 On May 7, 2024, this action was transferred to this Court from the Central District of
25 California under 28 U.S.C. § 1404, given the three related cases already pending before this Court
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No. 2:24-cv-00635-TL

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1 alleging that PMI failed to disclose the presence of lead in its Stanley-brand drinking containers:
 2 *Franzetti v. Pacific Market International, LLC, et al.*, No. 2:24-cv-00191-TL; *Krohn v. Pacific*
 3 *Market International, LLC*, No. 2:24-cv-00200-TL; and *Barbu v. Pacific Market International*,
 4 *LLC*, No. 2:24-cv-00258-TL.

5 On April 26, 2024, this Court consolidated *Krohn* and *Barbu* with *Franzetti* under Federal
 6 Rule of Civil Procedure 42(a), and ordered that “[a]ny action subsequently filed in, transferred or
 7 removed to this District that arises out of the same or similar operative facts as the Consolidated
 8 Action SHALL also be consolidated in this Court for all purposes.” *Franzetti*, Dkt. No. 31 at 10-
 9 11. The Court also ordered the *Franzetti*, *Krohn*, and *Barbu* plaintiffs to file a consolidated
 10 amended complaint, thereby staying PMI’s response to the pending complaints in each of those
 11 cases. *Id.* at 11. On May 8, 2024, after the *Brown* action was transferred to this Court, Plaintiff
 12 *Franzetti* noticed *Brown* as a related case. *Franzetti*, Dkt. No. 41. Once this case is deemed related
 13 and consolidated with *Franzetti*, *Krohn*, and *Barbu*, the *Brown* Plaintiffs intend to co-draft the
 14 consolidated amended complaint, which will supersede the *Brown* plaintiffs’ current pleading and
 15 render moot any response filed by PMI aimed at the First Amended Complaint in *Brown*.

16 Accordingly, in the interests of efficiency and judicial economy, the parties request that the
 17 Court vacate PMI’s May 20, 2024 deadline to respond to the First Amended Complaint in *Brown*
 18 (Dkt. No. 11), pending the filing of the forthcoming consolidated amended complaint in *Franzetti*.

19 DATED May 14, 2024

Respectfully submitted,

20 K&L GATES LLP

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19 *International, LLC*

20 Dated: May 14, 2024

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27 I certify that this memorandum contains
28 353 words, in compliance with the Local
29 Civil Rules.

30 STIPULATED MOTION TO VACATE DEADLINE TO
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ORDER

This matter is before the Court on the Parties' Stipulated Motion to Vacate Deadline to Respond to Complaint. Dkt. No. 28. Having reviewed the relevant record, the Court GRANTS the motion. Defendant's deadline to respond to the First Amended Complaint is vacated.

IT IS SO ORDERED.

Dated this 14th day of May 2024.

Tana Lin
Tana Lin
United States District Judge

PRESENTED BY:

K&L GATES LLP

By: /s/ Pallavi Mehta Wahi

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*Attorneys for Defendant Pacific Market
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